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MAR 04 2013

**Board of Vocational Nursing
and Psychiatric Technicians**

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8 **BEFORE THE**
9 **BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. VN-2010-3740

13 **JANE CARMELA COLLINS**
6162 Neddy Avenue
Woodland Hills, CA 91367

A C C U S A T I O N

14 **Vocational Nurse License No. VN 120737**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") brings this Accusation solely
20 in her official capacity as the Executive Officer of the Board of Vocational Nursing and
21 Psychiatric Technicians, Department of Consumer Affairs.

22 2. On or about May 9, 1984, the Board of Vocational Nursing and Psychiatric
23 Technicians ("Board") issued Vocational Nurse License Number VN 120737 to Jane Carmela
24 Collins ("Respondent"). The Vocational Nurse License was in full force and effect at all times
25 relevant to the charges brought herein and will expire on April 30, 2014, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board under the authority of the following
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 118, subdivision (b), of the Code provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTES AND REGULATORY PROVISIONS

5. Section 2878 of the Code states, in pertinent part:

"The Board may suspend or revoke a license issued under this chapter [the Vocational Nursing Practice Act (Bus. & Prof. Code, 2840, et seq.)] for any of the following:

"(a) Unprofessional conduct...

• • • •

"(j) The commission of any act involving dishonesty, when that action is related to the duties and functions of the licensee."

6. Section 2878.5 of the Code states, in pertinent part:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Vocational Nursing Practice Act] it is unprofessional conduct for a person licensed under this chapter to do any of the following:

"(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist or podiatrist administer to himself or herself or furnish or administer to another, any controlled substance as defined in Division 10 of the Health and Safety Code, or any dangerous drug as defined in Section 4022."

7. California Code of Regulations, title 16, section 2518.6 states, in pertinent part:

" (b) A licensed vocational nurse shall adhere to standards of the profession and shall incorporate ethical and behavioral standards of professional practice which include but are not limited to the following:

• • •

(4) Abstaining from chemical/substance abuse; and

(5) Cooperating with the Board during investigations as required by Section 2878.1 of the Business and Professions Code.

1 (c) A violation of this section constitutes unprofessional conduct for purposes of initiating
2 disciplinary action."

3 **CONTROLLED SUBSTANCE**

4 8. "Vicodin," a trade name for hydrocodone and acetaminophen, is categorized as a
5 Schedule III controlled substance pursuant to Health and Safety Code section 11056.

6 **COST RECOVERY**

7 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
8 administrative law judge to direct a licentiate found to have committed a violation or violations of
9 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
10 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
11 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
12 included in a stipulated settlement.

13 **FIRST CAUSE FOR DISCIPLINE**

14 (Unprofessional Conduct)

15 10. Respondent is subject to disciplinary action under Code section 2878, subdivision (a)
16 in that Respondent engaged in unprofessional conduct when she falsely and fraudulently
17 prescribed the controlled substance, Vicodin, for herself, in the name of two doctors by calling in
18 the prescriptions to local pharmacies. The circumstances are as follows:

19 11. Respondent was a long term employee and a patient of the Jack Skirball Health
20 Center of the Motion Picture & Television Fund ("Skirball Health Center"). She received health
21 care from several primary care doctors at the Skirball Health Center, including Dr. Richard
22 Lander and Dr. Laura Meisel.

23 12. On or about May 11, 2009, Dr. Lander wrote Respondent a prescription for 60 tablets
24 of Vicodin, with 1 refill on that prescription. On or about May 12, 2009, Respondent filled the
25 prescription at Woodlake Pharmacy in West Hills, California bearing RX # 272843. On or about
26 May 29, 2009, Respondent filled the one refill on the prescription at Woodlake Pharmacy, also
27 bearing RX # 272843.
28

1 13. Aside from the prescription dated May 11, 2009, Dr. Lander never wrote any other
2 prescriptions for Vicodin for Respondent, never authorized any additional refills for the original
3 prescription, and never authorized any additional prescriptions for Vicodin to be issued to
4 Respondent in his name.

5 14. In or about May 2010, Respondent was terminated from her employment at the
6 Skirball Health Center. After her termination, Respondent continued to receive her health care
7 from several primary care doctors at the Skirball Health Center.

8 15. On or about June 4, 2010, Dr. Laura Meisel wrote Respondent a prescription for 60
9 tablets of Vicodin, with 1 refill on that prescription. On or about June 9, 2010, Respondent filled
10 the prescription at Woodlake Pharmacy in West Hills, California bearing RX # 287307. On or
11 about June 28, 2010, Respondent filled the one refill on the prescription at Woodlake Pharmacy,
12 also bearing RX # 287307.

13 16. On or about October 14, 2010, Dr. Meisel authorized for Respondent a prescription
14 for 40 tablets of Vicodin. On or about October 14, 2010, Respondent filled the prescription at
15 Costco Pharmacy #44, bearing RX #0897655.

16 17. On or about January 17, 2011, Dr. Meisel authorized for Respondent a prescription
17 for 40 tablets of Vicodin. On or about January 25, 2011 Respondent filled the prescription at
18 Costco Pharmacy #44, bearing RX #0909968.

19 18. Aside from the prescriptions dated June 4, 2010, October 14, 2010, and January 17,
20 2011, Dr. Meisel never wrote any other prescriptions for Vicodin for Respondent, never
21 authorized any additional refills for the original prescriptions, and never authorized any additional
22 prescriptions for Vicodin to be issued to Respondent in her name.

23 19. On or about February 1, 2011, a Woodlake Pharmacy pharmacist telephoned the
24 Skirball Health Center and stated that he believed that Respondent was phoning in prescriptions
25 of Vicodin for herself while impersonating other licensed vocational nurses. The Skirball Health
26 Center verified that the prescriptions were not authorized by the physicians.

27 20. According to the Department of Justice, Controlled Substance Utilization Review and
28 Evaluation System ("CURES") database, between May 12, 2009 and January 25, 2011,

Respondent filled 41 prescriptions (including refills) for Vicodin in which Dr. Lander and Dr. Meisel were the prescribing physicians. Of these 41 prescriptions, 6 of these prescriptions (including refills) were legitimate. Complainant refers to, and by this reference incorporates, the allegations set forth in Paragraphs 12 and 15 through 17, inclusive, as though fully set forth herein. The remaining 35 prescriptions and/or refills were false and fraudulent. These prescriptions and/or refills are as follows:

DATE	DRUG/QUANTITY	DOCTOR	PRESC. #	PHARMACY
06/09/09	Vicodin/60 tabs	Lander	0599049	Thrifty Payless
07/14/09	Vicodin/60 tabs	Lander	0599049	Thrifty Payless
08/07/09	Vicodin/60 tabs	Lander	0599049	Rite-Aid
09/02/09	Vicodin/60 tabs	Lander	0599049	Rite-Aid
09/29/09	Vicodin/60 tabs	Lander	272843	Woodlake
11/19/09	Vicodin/60 tabs	Lander	279913	Woodlake
12/02/09	Vicodin/60 tabs	Lander	0617544	Rite-Aid
01/16/10	Vicodin/60 tabs	Lander	0617544	Rite-Aid
01/29/10	Vicodin/60 tabs	Lander	0617544	Rite-Aid
02/23/10	Vicodin/60 tabs	Lander	279913	Woodlake
03/11/10	Vicodin/60 tabs	Lander	0617544	Rite-Aid
04/08/10	Vicodin/60 tabs	Lander	279913	Woodlake
04/20/10	Vicodin/60 tabs	Lander	279913	Woodlake
04/28/10	Vicodin/60 tabs	Lander	0633737	Rite-Aid
05/12/10	Vicodin/60 tabs	Lander	0633737	Rite-Aid
05/18/10	Vicodin/60 tabs	Lander	279913	Woodlake
05/24/10	Vicodin/60 tabs	Lander	0633737	Rite-Aid
06/01/10	Vicodin/60 tabs	Lander	0633737	Rite-Aid
06/21/10	Vicodin/60 tabs	Meisel	0884438	Costco
07/22/10	Vicodin/60 tabs	Meisel	0884438	Costco

1	07/28/10	Vicodin/60 tabs	Meisel	287307	Woodlake
2	08/09/10	Vicodin/60 tabs	Meisel	287307	Woodlake
3	08/31/10	Vicodin/60 tabs	Lander	0646592	Rite-Aid
4	09/07/10	Vicodin/60 tabs	Meisel	287307	Woodlake
5	09/15/10	Vicodin/60 tabs	Lander	0646592	Rite-Aid
6	09/23/10	Vicodin/60 tabs	Meisel	293128	Woodlake
7	10/20/10	Vicodin/60 tabs	Lander	0651969	Rite-Aid
8	11/08/10	Vicodin/60 tabs	Lander	0651969	Rite-Aid
9	11/18/10	Vicodin/60 tabs	Lander	0651969	Rite-Aid
10	11/29/10	Vicodin/60 tabs	Meisel	293128	Woodlake
11	12/06/10	Vicodin/60 tabs	Lander	0657248	Rite-Aid
12	12/14/10	Vicodin/60 tabs	Meisel	293128	Woodlake
13	12/21/10	Vicodin/60 tabs	Lander	0657248	Rite-Aid
14	01/06/11	Vicodin/60 tabs	Lander	0657248	Rite-Aid
15	01/18/11	Vicodin/60 tabs	Lander	0657248	Rite-Aid

SECOND CAUSE FOR DISCIPLINE

(Commission of Acts Involving Dishonesty)

21. Respondent is subject to disciplinary action under Code section 2878, subdivision (j) in that Respondent called in at least 35 false and fraudulent prescriptions and/or refills for Vicodin into local pharmacies under the names of Dr. Richard Lander and Dr. Laura Meisel. Complainant refers to, and by this reference incorporates, the allegations set forth in Paragraphs 10 through 20, inclusive, as though fully set forth herein.

THIRD CAUSE FOR DISCIPLINE

(Illegal Possession and Prescription of a Controlled Substance)

22. Respondent is subject to disciplinary action under Code section 2878.5, subdivision (a), in conjunction with California Code of Regulations, title 16, section 2518.6, subdivision (b)(4) in that Respondent illegally possessed and prescribed a controlled substance, to wit,

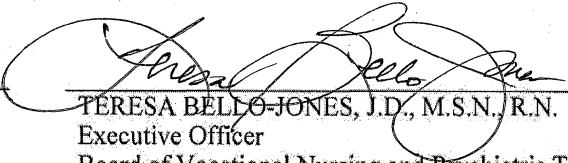
1 Vicodin, on no less than 35 occasions between May 2009 and January 2011. Complainant refers
2 to, and by this reference incorporates, the allegations set forth in Paragraphs 10 through 20,
3 inclusive, as though fully set forth herein.

4 **PRAYER**

5 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
6 and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians
7 issue a decision:

- 8 1. Revoking or suspending Vocational Nurse License Number VN 120737, issued to
9 Jane Carmela Collins;
10 2. Ordering Jane Carmela Collins to pay the Board of Vocational Nursing and
11 Psychiatric Technicians the reasonable costs of the investigation and enforcement of this case,
12 pursuant to Business and Professions Code section 125.3; and
13 3. Taking such other and further action as deemed necessary and proper.

14
15 DATED: **MAR 04 2013**

16 
17 TERESA BELLO-JONES, J.D., M.S.N., R.N.
18 Executive Officer
19 Board of Vocational Nursing and Psychiatric Technicians
20 Department of Consumer Affairs
21 State of California
22 Complainant

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